

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In Re:

Newport 222 Mitchell Street, L.P.

Debtor.

Case No. 24-54060-SMS

Chapter 7

NOTICE OF APPEARANCE AND REQUEST FOR SERVICE OF PAPERS

PLEASE TAKE NOTICE that pursuant to Rules 2002, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure, BI 68, LLC (“**BI 68**”), a creditor in this bankruptcy case, hereby requests that copies of all notices given or required to be given in this case, and all papers served or required to be served in this case, be given to and served upon the following:

Michael H. Shanlever
Georgia Bar No. 141292
ALSTON & BIRD LLP
One Atlantic Center
1201 West Peachtree Street NW
Atlanta, GA 30309
Phone: 404-881-7619
Fax: 404-881-7777
mike.shanlever@alston.com

Arabella Okwara
Georgia Bar No. 542422
ALSTON & BIRD LLP
One Atlantic Center
1201 West Peachtree Street NW
Atlanta, GA 30309
Phone: 404-881-7984
Fax: 404-881-7777
arabella.okwara@alston.com

PLEASE TAKE FURTHER NOTICE THAT, this request includes not only the notices and papers referred to in the provisions specified above, but also includes orders and notices of any application, motion, petition, pleading, request, complaint, or demand, whether formal or informal, whether written or oral, and whether transmitted or conveyed by mail, courier service, hand-delivery, telephone, facsimile transmission, electronically, or otherwise, that (1) affects or seeks to affect in any way the rights or interests of BI 68 or any other party in interest in this case, including the (a) the debtors, (b) property of the estates, or proceeds thereof, in which the debtors may claim an interest;

or (c) property or proceeds thereof in the possession, custody or control of others that the debtors may seek to use; or (2) requires or seeks to require any act, delivery of any property, payment or other conduct.

PLEASE TAKE FURTHER NOTICE THAT, neither this Notice of Appearance nor any subsequent appearance, pleading, claim, or suit is intended or shall be deemed to waive BI 68's (i) right to have final orders in non-core matters entered only after de novo review by a higher court; (ii) right to trial by jury in any proceeding so triable herein or in any case, controversy or proceeding related hereto; (iii) right to have the reference withdrawn in any matter subject to mandatory or discretionary withdrawal; (iv) right to enforce any contractual provisions with respect to arbitration; or (v) other rights, claims, actions, defenses, setoffs, or recoupments to which BI 68 has or may be entitled under agreements, in law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved.

Dated: May 8, 2024

ALSTON & BIRD LLP

/s/ Kennedy R. Bodnarek
Kennedy R. Bodnarek
Georgia Bar No. 623383
One Atlantic Center
1201 West Peachtree Street NW
Atlanta, GA 30309
Phone: 404-881-7000
Fax: 404-881-7777
kennedy.bodnarek@alston.com

Counsel for BI 68, LLC.

CERTIFICATE OF SERVICE

I hereby certify that on this day, I caused to be served true and correct copies of the foregoing *Notice of Appearance and Request for Notice and Papers* by filing such notice with the Court's CM/ECF system.

/s/ Kennedy R. Bodnarek

Kennedy R. Bodnarek